

REMARKS

Applicants request favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Claims 16-33 were pending in the application and were rejected in the Office Action. By way of this amendment, Applicants have amended claims 16 and 29 and have added new claim 34, without adding new matter. Accordingly, claims 16-34 are respectfully presented for further consideration.

1. Objection to Claim 16

The Examiner objected to claim 16 for a formalistic reason that has been fully obviated by way of the amendments made herein to claim 16. Accordingly, a withdrawal of this objection is both warranted and respectfully requested.

2. Rejections of Claims 16-33

The Examiner rejected:

- (a) claims 16-18, 20, 28, 29, 31, and 32 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,214,266 ("Millif") and claims 30 and 33 under 35 U.S.C. § 103(a) as allegedly being obvious in view of Millif;
- (b) claim 19 under 35 U.S.C. § 103(a) as allegedly being obvious when considering Millif in view of U.S. Patent No. 6,568,707 ("Hier");
- (c) claims 21, 24, and 25 under 35 U.S.C. § 103(a) as allegedly being obvious when considering Millif in view of U.S. Patent No. 6,231,940 ("Aichner");
- (d) claims 22, 26, and 27 under 35 U.S.C. § 103(a) as allegedly being obvious when considering Millif in view of U.S. Patent No. 6,468,458 ("Anderson"); and
- (e) claim 23 under 35 U.S.C. § 103(a) as allegedly being obvious when considering Millif in view of E.P. Patent No. 1,329,302 ("Cooper").

For the following reasons, Applicants respectfully traverse each of these rejections.

A. Rejection of Claims 16-18, 20, and 28-33

Independent claim 16 (*i.e.*, the claim from which claims 17-33 depend) recites a manufacturing method of a cross member, which is configured to extend in a width direction of a vehicle body and which is configured to have both ends connected to side framework structures of the vehicle body. This method includes, among other possible steps (*italic emphasis added*):

forming, from a material, a base frame extending in the width direction of the vehicle body by means of resinous molding; and insert-molding the base frame, within limited ranges thereof in the width direction of the vehicle body, in resinous material belonging to a same material system as the material of the base frame, thereby forming reinforcing frame parts integral with the base frame,

wherein the base frame and the reinforcing frame parts have cross-sections, which are substantially circular or oval in shape.

Although Millif teaches a door sash 22 (Figures 3, 4) that is formed of a substrate 50, an intermediate layer 54, and an outer surface layer 58, none of Millif's layer's, have a cross-section that is "substantially circular or oval in shape," as recited in claim 16. In contrast to Millif, Figures 4A/4B and 8, *e.g.*, of the instant application clearly show that the cross section of the base frame 2, 111 may be circular or oval in shape.

Accordingly, for at least the foregoing reason Millif standing alone can not be used to reject claim 16, or any claim dependent thereon, under 35 U.S.C. §§ 102(b), 103(a). Moreover, as claims 17, 18, 20, and 28-33 depend from claim 16, each of these dependent claims is also allowable over Millif, without regard to the other patentable limitations recited therein. Accordingly, a withdrawal of the rejections of claims 16-18, 20, and 28-33 is both warranted and earnestly solicited.

A. Rejection of Claims 19 and 21-27

As previously discussed with respect to claim 16, Millif fails to teach or suggest at least that the cross-sections of the base frame and the reinforcing frame parts are "substantially circular or oval in shape." None of Hier, Aichner, Anderson, and Cooper cures these deficiencies of Millif. Moreover, Cooper, which is arguably the closest of these references, teaches away from a substantially circular or oval cross-section by teaching a substantially rectangular cross-section.

In light of the foregoing, it is clear that none of Millif, Hier, Aichner, Anderson, and Cooper teaches or suggests a base frame and reinforcing frame parts that have substantially circular or oval cross-sections, as recited in claim 16. Accordingly, no combination of Millif, Hier, Aichner, Anderson, and Cooper can be used to reject claim 16, or any claim dependent thereon, under 35 U.S.C. § 103(a). Moreover, as claims 19 and 21-27 depend from claim 16, each of these dependent claims is also allowable over of Millif, Hier, Aichner, Anderson, and Cooper, without regard to the other patentable limitations recited therein. Accordingly, a withdrawal of the various rejections of claims 19 and 21-27 is both warranted and respectfully requested.

3. New Claim 34

Similar to claim 19, new claim 34 recites a manufacturing method of a cross member, which is configured to extend in a width direction of a vehicle body and which is configured to have both ends connected to side framework structures of the vehicle body. This method includes, among other possible steps (*italic emphasis added*):

resinous molding a base frame from a resinous material of a class of resinous materials, wherein the base frame is configured to extend in the width direction of a vehicle body; and
insert-molding limited ranges of the base frame in a resinous material of the material class of the base frame, thereby forming reinforcing frame parts integral with the base frame,
wherein the base frame and the reinforcing frame parts have cross-sections, which are substantially circular or oval in shape, and
wherein the resinous material of the reinforcing frame parts is higher in rigidity than the resinous material of the base frame.

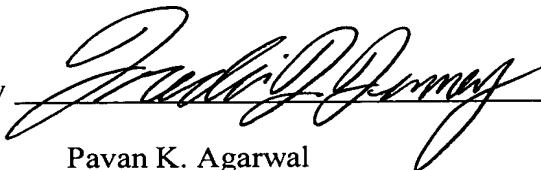
As previously discussed with respect to claims 16-33, none of Millif, Hier, Aichner, Anderson, and Cooper teaches or suggests a cross member having a base frame and reinforcing frame parts that have substantially circular or oval cross-sections. Accordingly, as new claim 34 also recites cross member, which includes a base frame and reinforcing frame parts that have substantially circular or oval cross-sections, new claim 34 is also allowable over Millif, Hier, Aichner, Anderson, and Cooper.

CONCLUSION

For the aforementioned reasons, claims 16-34 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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